

SUPPORT FOR THE AMENDMENTS

Newly-added Claims 11-18 are supported by the specification and the original Claims. Accordingly, no new matter is believed to have been added to the present application by the amendments submitted above.

REMARKS

Claims 11-18 are pending. Favorable reconsideration is respectfully requested.

The present invention relates to a thermoplastic elastomer composition, comprising:

(A) a conjugated diene-based polymer obtained by polymerizing a conjugated diene-based compound using a catalyst containing (a) to (d) as main components

(a) a compound containing a rare earth element having an atomic number of 57-31 in the Periodic Table or a compound obtained by reaction of the compound with a Lewis base;

(b) an alumoxane;

(c) an organoaluminum compound corresponding to $\text{AlR}^1\text{R}^2\text{R}^3$, wherein R^1 and R^2 , which may be the same or different, represent a hydrocarbon group having 1 to 10 carbon atoms or a hydrogen atom, and R^3 represents a hydrocarbon group having 1 to 10 carbon atoms, provided that R^3 may be the same as or different from the above R^1 or R^2 ; and

(d) a silicon halide compound and/or a halogenated organosilicon compound;
and

(B) a thermoplastic resin selected from the group consisting of a crystalline polyolefin-based resin and an amorphous polyolefin-based resin.

See Claim 11.

The rejection of the Claims under 35 U.S.C. §103(a) over Finerman in view of Sone et al. is respectfully traversed. The cited references fail to suggest the claimed thermoplastic elastomer composition.

It is known that an EPDM/polyolefin-based resin has disadvantages associated with rubber elasticity, compression set and rebound resilience. It is also known that TPV, such as polybutadiene rubber, which comprise a conjugated diene-based polymer, is excellent in rubber elasticity. In present application, however, the thermoplastic elastomer composition is excellent in compression set, regardless of the content of the conjugated diene-based compound. It is mentioned in Example 1-5 in present application that the value of compression set does not have the remarkable difference, though the content of the conjugated diene-based compound is different conspicuously. This is an unexpected benefit by using a catalyst mentioned in Claim 1. On the other hand, in Table V of Finerman some compositions which comprise TPV and other polymers have higher value of compression set than a composition which comprise only from TPV. As for the compression set, a low value is preferable. Applicants submit that the compositions disclosed in Finerman do not have the unexpected benefits of the claimed composition, as discussed above.

Regarding Sone et al., Applicants submit that catalyst component (d) is different between present application and the reference. Moreover, Applicants submit that Sone et al. fail to suggest the use of component (d).

In view of the foregoing, the combination of Finerman in view of Sone et al. fails to suggest the claimed composition. Accordingly, Claims 11-18 are not obvious over those references. Withdrawal of this ground of rejection is respectfully requested.

Application No. 10/568,540
Reply to Office Action of April 14, 2008

The rejection of the Claims under 35 U.S.C. §112, second paragraph, is believed to be obviated by the amendment submitted above. The language for the Markush groups has been corrected as suggested by the Examiner. In view of the foregoing, the Claims are definite within the meaning of 35 U.S.C. §112, second paragraph. Accordingly, withdrawal of this ground of rejection is respectfully requested.

Applicants submit that the present application is in condition for allowance. Early notice to this effect is earnestly solicited.

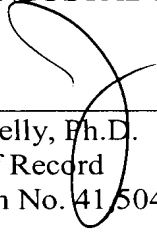
Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)



James J. Kelly, Ph.D.
Attorney of Record
Registration No. 41,504